

AG Contract No. KR96 1688TRN  
ADOT ECS File No. JPA 96-97  
Project: Traffic Signal  
Section: SR-95 @ Aztec

INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
MOHAVE COUNTY, ARIZONA

THIS AGREEMENT is entered into 2 OCTOBER, 1996,  
pursuant to Arizona Revised Statutes, Sections 11-951 through 11-  
954, as amended, between the STATE OF ARIZONA, acting by and  
through its DEPARTMENT OF TRANSPORTATION (the "State") and MOHAVE  
COUNTY, ARIZONA, acting by and through its BOARD OF SUPERVISORS  
(the "County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes  
Section 28-108 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has delegated  
to the undersigned the authority to execute this agreement on  
behalf of the State.

2. The County is empowered by Arizona Revised Statutes  
Section 11-251 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has authorized  
the undersigned to execute this agreement on behalf of the  
County.

3. Safeway Stores, Inc., under the ADOT permit process, has  
designed and is now constructing to State standards a new  
warranted traffic signal at the intersection of SR-95 at Aztec  
Street in Bullhead City. After completion and acceptance, the  
State and the County agree to provide the required maintenance  
and electrical energy to operate the signal.

THEREFORE, in consideration of the mutual agreements expressed  
herein, it is agreed as follows:

NO. <u>21084</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>10/02/96</u>
<u>James Lee Hull</u> Secretary of State
By <u>Vicky Macneil</u>

II. SCOPE OF WORK

1. The State will:

Upon completion, provide maintenance to the traffic signal.

2. The County will:

a. Upon completion, provide electrical energy to operate the signal.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said signal; provided, however, that this agreement, except any provisions herein for maintenance and electrical energy, which shall be perpetual, may be cancelled at any time prior to the completion of the construction of the signal, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

Mohave County  
County Manager  
PO Box 7000  
Kingman, AZ 86401

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.


IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

MOHAVE COUNTY, ARIZONA

STATE OF ARIZONA

Department of Transportation

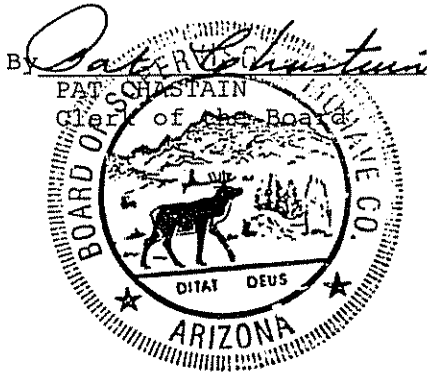
By

  
SAM STANDERFER, Chairman  
Board of Supervisors

By

  
MICHAEL P. MANTHEY  
State Traffic Engineer

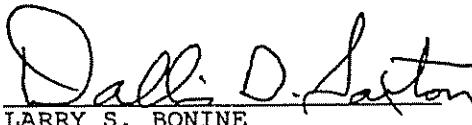
ATTEST



RESOLUTION

BE IT RESOLVED on this 29th day of July 1996, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with with Mohave County for the purpose of defining responsibilities for maintenance of a new warranted traffic signal on SR-95 at the intersection of Aztec Street.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the State Traffic Engineer for approval and execution.

  
for LARRY S. BONINE  
Director

RESOLUTION No. 96- 303

WHEREAS, the Board of Supervisors of Mohave County met in Special Session this 19th day of August, 1996, and,

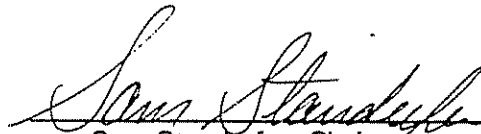
WHEREAS, the Mohave County Board of Supervisors has determined that it would be in the best interest of Mohave County to enter into and Intergovernmental Agreement with the Arizona Department of Transportation defining responsibilities for maintenance of a new warranted traffic signal on SR-95 at the intersection of Aztec Street.

WHEREAS, ARS 11-952 empowers the Board of Supervisors of Mohave County to enter into agreements, and

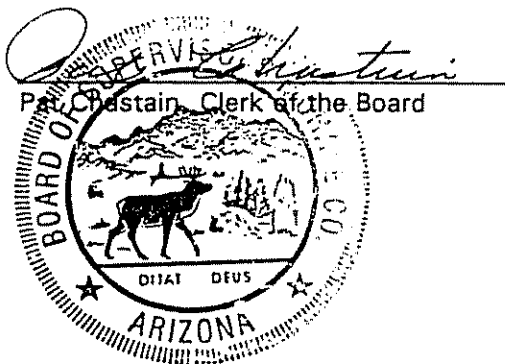
WHEREAS, Sam Standerfer, Chairman of the Mohave County Board of Supervisors is hereby authorized to execute the Intergovernmental Agreement and any amendments and/or modifications thereto on behalf of Mohave County.

PASSED, APPROVED AND ADOPTED this 19th day of August, 1996

MOHAVE COUNTY BOARD OF SUPERVISORS

  
Sam Standerfer, Chairman

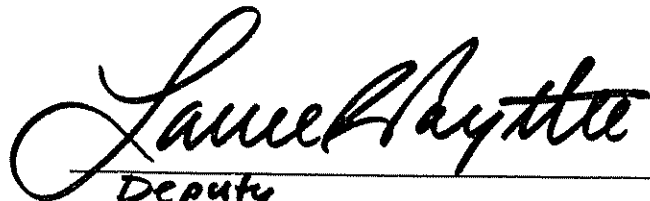
ATTEST:



APPROVAL OF THE MOHAVE COUNTY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and MOHAVE COUNTY and declare this agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

DATED this 6th day of August, 1996.

  
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Deputy  
County Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

GRANT WOODS  
ATTORNEY GENERAL

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MAIN PHONE: 542-5025

TELECOPIER : 542-4085

## **INTERGOVERNMENTAL AGREEMENT** **DETERMINATION**

A.G. Contract No. KR96-1688-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 26th day of September, 1996.

GRANT WOODS  
Attorney General

JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section

JRR:lsr  
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